

ATTACHMENT #3

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METHYL BROMIDE FIELD FUMIGATION PERMIT CONDITIONS

(DOES NOT APPLY TO GREENHOUSE, TREE HOLE OR COMMODITY USE)

- The County Agricultural Commissioner's Office has adopted the buffer zone requirements (Tables 1-5) in the Department of Pesticide Regulation's GUIDANCE MANUAL dated January 14, 2001 as part of the permit conditions.
- The worksite plan must be submitted by the operator on a completed County worksite plan form or other equivalent forms. On approval, the worksite plan becomes part of the permit.
- An appointment with an inspector is required for submission of the worksite plan so that it can be reviewed by the inspector before a permit can be issued. If the worksite plan is incomplete or there is a change that needs to be made, another appointment with an inspector may be necessary in order to amend the worksite plan.
- The initial notification to nearby property operators must be in writing and on a completed County notification form or other equivalent forms. (The operator is encouraged to give initial notification to nearby property operators as early as possible. This will allow time for the Commissioner to review the proposed application if anyone requests a review of the permit.)
- A log of the initial notifications to nearby property operators must be kept using the County notification log form or other equivalent form. The required parts of the log (unshaded areas) must be completed and the log must be submitted as part of the worksite plan.
- A tarp repair response plan and tarp cutting and removal plan must be submitted as part of the worksite plan. The plans must be on the appropriate County form or other equivalent forms.
- A map of the field must be submitted as part of the worksite plan. The map should have the neighboring properties numbered. Measurements must be made from the field to be fumigated to the property lines of all the surrounding

properties where there are residences or sensitive sites, and the measurements included on the map. If a portion of a residential property is to be used as part of the outer buffer zone, include the distance to the residence.

- If the fumigation of an application block does not commence within 12 hours of the starting time on the Notice of Intent, a new specific notification must be provided to those persons who requested a specific notification, and they must be given 48 hours notice of the application.
- The inner buffer zone may only extend from the perimeter of the application block into adjoining agricultural property. The inner buffer zone may extend across roads, highways, or similar means of travel or sites approved by the commissioner.
- The inner buffer zone cannot extend into residential properties, even with permission of the operator of the property, and even if the property will be vacated.
- If the inner buffer zone extends into adjoining property, a completed and signed written permission from the operator of the adjoining property must be submitted as part of the Notice of Intent, 48 hours before the start of the fumigation. The permission should be on the appropriate County form or equivalent form.
- If a resident agrees to vacate a residence in order to allow an outer buffer zone to extend into the area that contains the residence, a completed and signed written permission from the operator of residence to be vacated must be submitted as part of the Notice of Intent, 48 hours before the start of the fumigation. The permission should be on the appropriate County form.
- If the Notice was previously submitted and is resubmitted because of a change, rescheduling, or to finish a job, a waiver of the 48 hour waiting period can be requested. The applicator must request the waiver by bringing it to the attention of the Commissioner's staff. The waiver is not granted until an inspector informs the applicator that it has been granted.
- Any changes to the Notice of Intent must be made in writing by the applicator, either in person or by fax. The inspector will not change the information on the Notice for the applicator.
- In addition to the standard information required by regulation, the following information must be included on the Notice of Intent:
 - Application method
 - Complete and accurate map of the fumigation site using the map from the worksite plan and showing the area to be fumigated and the areas

where the inner and outer buffer zone extend onto property not operated by the operator of the property to be fumigated. The map must also show any sensitive areas that were not shown by the grower on the worksite map, including residences, and any required measurements that were not included on the worksite plan.

- The distances must indicate where the measurements were taken, for example, that the measurement was from the property line of the residence, from the fence, or from a flag in the field.
 - Any residences that will be vacant or vacated for the fumigation must be indicated on the map, and a note stating that they will be vacant or vacating for 48 hours.
 - If the start of the fumigation is delayed more than 12 hours from the intended starting time, another Notice of Intent must be submitted, but there is no 48-hours requirement unless notified by the agricultural commissioner.
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- If the grower's employees will be assisting with the application by shoveling at the edges of the field, the Pest Control Business must calculate the number of hours the employees are allowed to work and provide this information to the grower in writing, prior to the application.